

**Minutes of Meeting
BOARD FOR CONTRACTORS
INFORMAL FACT-FINDING CONFERENCES
September 28, 2006 (9:00 a.m.)**

The Board for Contractors convened in Richmond, Virginia, for the purpose of holding Informal Fact-Finding Conferences pursuant to the Administrative Process Act

Ruth Ann Wall, presiding officer, presided No Board members were present.

Joseph Haughwout appeared for the Department of Professional and Occupational Regulation.

The conferences were recorded by Inge Snead & Associates, LTD and the Summaries or Consent Orders are attached unless no decision was made.

Disc = Disciplinary Case
Lic = Licensing Application
RF = Recovery Fund Claim
Trades = Tradesmen Disciplinary Case/Application

C = Complainant/Claimant
A = Applicant
R = Respondent/Regulant
W = Witness
Atty = Attorney

Participants

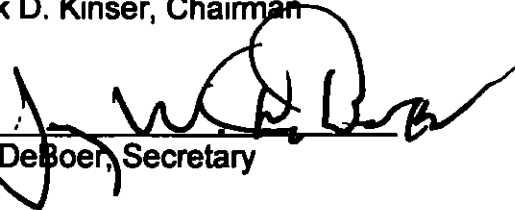
- | | |
|--|--|
| 1. Steven William Lucas
t/a Lucas Home Improvements
File Number 2006-04138 (Disc) | Lucas – R |
| 2. Richard L Riley
t/a R & T
File Number 2006-01772 (Disc)
(NO DECISION MADE) | None |
| 3. First Pyramid Builder's LLC
File Number 2006-03954 (Disc)
(NO DECISION MADE) | Rehk Imhotep – R |
| 4. Katherine Lynn Wong
t/a TB Construction
File Number 2006-01637 (Disc)
(NO DECISION MADE) | None |
| 5. Carpentry Concept of Virginia
File Number 2006-04298 (Disc)
(NO DECISION MADE) | Anthony Swinson – R
David Prince – R's Atty |

The meeting adjourned at 1 45 p.m.

BOARD FOR CONTRACTORS



Mark D. Kinser, Chairman



Jay DeBoer, Secretary

COPY TESTE:

Custodian of Records

**IN THE
COMMONWEALTH OF VIRGINIA
BOARD FOR CONTRACTORS**

Re: Steven William Lucas, t/a Lucas Home Improvements
Prince George, VA 23875

File Number 2006-04138
License Number 2705077880

CONSENT ORDER

Respondent Steven William Lucas, t/a Lucas Home Improvements ("Steven William Lucas") recognizes and acknowledges being subject to and bound by the Regulations of the Board for Contractors ("Board"), as well as by all other applicable Virginia laws.

Board's Regulations provides:

18 VAC 50-22-200. Remedial education, revocation or suspension; fines.

The board may require remedial education, revoke or suspend a license or fine a licensee when a licensee has been found to have violated or cooperated with others in violating any provision of Chapter 11 (§ 54.1-1100 et seq) of Title 54.1 of the Code of Virginia, or any regulation of the board.

Historical Notes:

Derived from VR220-01-2 1 §5 1, eff March 31, 1995, amended, Virginia Register Volume 17, Issue 21, eff September 1, 2001

Pursuant to the Administrative Process Act §§2.2-4019 and 2.2-4021 of the 1950 Code of Virginia, as amended.

On August 16, 2006, the Notice of Informal Fact-Finding Conference ("Notice") was mailed, via certified mail, to Steven William Lucas at the address of record. The Notice included the Report of Findings, which contained the facts regarding the regulatory and/or statutory issues in this matter. The certified mail was signed for and received.

On September 28, 2006, the Informal Fact-Finding Conference ("IFF") was convened at the Department of Professional and Occupational Regulation in Richmond, Virginia.

The following individuals participated at the conference: Steven William Lucas, Respondent; Joseph Haughwout, Staff Member; and Ruth Ann Wall, Presiding Officer.

The Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, is incorporated with the Consent Order.

The Board and Steven William Lucas, as evidenced by the signatures affixed below, enter into this Consent Order. Steven William Lucas knowingly and voluntarily waives any further proceedings in this matter under Administrative Process Act §§2.2-4020 and 2.2-4021 of the 1950 Code of Virginia, as amended

By signing this Consent Order, Steven William Lucas acknowledges a substantial identity of interest as outlined in the Report of Findings. Lucas consents to the following term(s):

	Count 1.	§ 54.1-1110 of the Code of Virginia	\$ 0

	TOTAL MONETARY PENALTIES		\$0.00

In addition, for violation of Count 1, Lucas agrees to reimburse the Contractor Recovery Fund \$16,740.00, the amount awarded a claimant on January 24, 2006, within nine (9) months of entry of this Order. Failure to reimburse the Contractor Recovery Fund will result in suspension of Lucas' license until the amount owed is paid in full.

Steven William Lucas also agrees to pay \$350.00 in Board costs.

Any monetary penalties, costs, and/or sanctions are to be paid/performed within thirty days of the effective date of this consent order unless otherwise specifically noted above. Steven William Lucas acknowledges any monetary penalty and costs as a debt to the Commonwealth and agrees that in the event of a default, or the return of a check for insufficient funds, Steven William Lucas will be responsible for a penalty fee of 10% and interest at the underpayment rate prescribed in Section 58.1-15 of the 1950 Code of Virginia, as amended, and for all reasonable administrative costs, collection fees, or attorney's fees incurred in the collection of whatever funds are due.

Steven William Lucas acknowledges that failure to pay any monetary penalty or cost and/or to comply with all terms of this Order within the specified time period, shall result in the automatic suspension of Steven William Lucas's license until such time as there is compliance with all terms of this Order. Steven William Lucas understands the right to have this automatic suspension considered in an IFF pursuant to the Administrative Process Act §§2.2-4019 and 2.2-4021 of the 1950 Code of Virginia, as amended, but

knowingly and voluntarily waives any rights to the proceeding and hereby waives any further proceedings under the Administrative Process Act §§2.2-4020 and 2.2-4021 of the 1950 Code of Virginia, as amended.

The effective date of this Order shall be the date of execution by the Board

SEEN AND AGREED TO:

Steven William Lucas
t/a Lucas Home Improvements

Date

Printed Name and Title of Person Signing on behalf of Entity

CITY/COUNTY OF _____
COMMONWEALTH OF VIRGINIA

Sworn and subscribed before me this _____ day of _____, 2006.

Notary Public

My Commission Expires: _____

SO ORDERED:

Entered this _____ day of _____, 2006.

Board for Contractors

BY: _____
Jay W. DeBoer, Secretary

EOO

VIRGINIA DEPARTMENT OF PROFESSIONAL
AND OCCUPATIONAL REGULATION
COMPLIANCE & INVESTIGATION DIVISION
3600 WEST BROAD STREET
RICHMOND, VA 23230-4917

REPORT OF FINDINGS

BOARD: Board for Contractors
DATE: May 4, 2006 (revised August 2, 2006)

FILE NUMBER: 2006-04138
RESPONDENT: Steven William Lucas, t/a Lucas Home Improvements
LICENSE NUMBER: 2705077880
EXPIRATION: November 30, 2007

SUBMITTED BY: Investigator Jennifer Counts
APPROVED BY: Assistant Director Janet Creamer

COMMENTS

None.

Steven William Lucas ("Lucas"), t/a Lucas Home Improvements, was at all times material to this matter a licensed Class C contractor in Virginia (No 2705077880).

Based on the analysis and/or investigation of this matter, there is probable cause to believe the respondent has committed the following violation(s) of the Code of Virginia and/or Board's regulation(s):

BACKGROUND

On March 24, 2006, the Compliance & Investigations Division of the Department of Professional and Occupational Regulation received information from Kevin Hoeft, Board Administrator for the Board for Contractors, regarding Lucas. (Exh. C-1)

1. Code of Virginia

§ 54.1-1110. Grounds for denial or revocation of license or certificate.

The Board may suspend, revoke, or deny renewal of an existing license or certificate, or refuse to issue a license or certificate, to any contractor who is shown to have a substantial identity of interest with a contractor whose license or certificate has been revoked or not renewed by the Board. A substantial identity of interest includes but is not limited to (i) a controlling financial interest by the individual or corporate principals of the contractor whose license or certificate has been revoked or nonrenewed, (ii) substantially identical principals or officers, or (iii) the same designated employee as the contractor whose license or certificate has been revoked or not renewed by the Board.

FACTS.

On April 10, 1995, Steven W Lucas, t/a Lucas Home Improvement ("Lucas Home"), was issued Class C contractor's license number 2705028417 as a sole proprietorship. Steven Lucas, individual tracking number 2706070925, was listed as the Qualified Individual and Responsible Management for license number 2705028417. (Exh. I-1 and I-3)

On November 5, 2003, Lucas was issued Class C contractor's license number 2705077880 as a sole proprietorship. Steven Lucas, individual tracking number 2706070925, was listed as the Qualified Individual and Responsible Management for license number 2705077880. (Exh. I-2 and I-3)

On January 24, 2006, according to the Final Opinion and Order for file number 2004-02457, the Board for Contractors permanently revoked Lucas Home's Class C contractor's license number 2705028417 upon a payment from the Contractor's Recovery Fund. The Final Opinion and Order indicated that the Board approved the Recovery Fund claim that was filed by complainant Lois Thomas. (Exh. C-2)

According to the Board for Contractor's licensing records, license number 2705028417 was revoked on January 31, 2006 (Exh I-1)

In a letter received by the Board on May 3, 2006, Lucas stated, "I am responding to a letter received in regard to a revoked license and the one I currently hold. This is the same company and I am still the owner of Lucas Home Improvements " Lucas further stated that he allowed license number 2705028417 to pass because he stopped his business and no longer needed it He then later decided to restart his business, and was told he needed to reapply for a license. Lucas stated that he obtained license number 2705077880 several years prior to the issues surrounding license number 2705028417, and renewed it before learning of the investigation regarding the revoked license (Exh. R-1)

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Ruth Ann Wall
2. Title: Presiding Officer
3. Agency: Board for Contractors
4. Transaction: Informal Fact-Finding Conferences on September 28, 2006
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that.

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction.

(b) I am able to participate in this transaction fairly, objectively, and in the public interest

Ruth Ann Wall
Signature

9/28/06
Date